Talent Evaluation and Advancement (TEA) Deep Dive

2016 Defense Intelligence Human Capital Summit

2 March 2016

Associate Directorate for Human Resources (ADHR)

TEA Executive Summary

UNCLASSIFIED

NSA's Talent Evaluation & Advancement (TEA) project aims to reform the way we approach performance management (PM).
Our goals: Make it easier. Make it better. Govern it effectively.

State of PM in 2015

PM isn't working.

Time-consuming, HR-driven processes
- Significant time and documentation
- Deliberations at multiple points in the year

Unreliable ratings
- Widespread ratings inflation
- Idiosyncratic ratings

Vocal workforce cry to change
- Consistently poor PM ICECS scores
- Numerous studies, focus groups, and social media calls for PM reform

External shifts away from PM
- Academic research suggests PM isn't driving performance
- Private sector organizations moving away from elaborate, ratings-based PM systems

Make it Easier.

ONE PROCESS ON A SINGLE TIMELINE. *Align PM, promotion, and recognition*

STREAMLINED RATINGS. *Successful/Unsuccessful; Yes/No recognition decisions*

LESS DOCUMENTATION. *Employees document only promotion-worthy achievements; Leaders focus on justifying personnel decision outcomes*

Make it Better.

MORE CONVERSATION. *Ongoing dialogue to improve trust and achieve mutual success*

GREATER TRANSPARENCY. *Clear criteria for personnel decisions, reinforced by published examples of success*

FOCUSED ATTENTION ON THE "TAILS." *Early identification and intervention for both top & poor performers*

Govern it Effectively.

EVERYONE CONSIDERED.
Adopt integrated talent management practices; ensure no one is overlooked

STRATEGIC DECISION MAKING.
Outcomes determined by those most familiar with the work and mission needs

APPROPRIATE OVERSIGHT.
Corporate Governance Board to set and enforce corporate priorities

Vision for PM in 2017

PM drives individual & mission success.

Simpler processes, embedded in the work
- Measurable time savings
- Focused decision-making

Trusted outcomes
- Personnel decisions consistent with criteria and ongoing conversations
- Greater understanding of the employee's role in achieving organizational goals

Greater workforce support for PM
- Improved PM ICECS scores
- Improved feedback related to trust, transparency, fairness

Model for PM in the IC
- TEA program serves as a model for PM across the IC

Underlying Beliefs and Assumptions

- All employees need and deserve to know where they stand and how they can improve
- Both "star" and "poor" performers have a disproportionate impact on mission performance
- The culture must change; otherwise, no system or set of tools will satisfice
- Line of sight is key to validity, fairness, transparency, and accountability
- Budgets, governance, and decision authority must all be in alignment

TEA Implementation Timeline

Use a phased approach to achieve quick results and sustain incremental change

Phased Implementation

Phase 1: Complete

Streamline Promotion

- Reduce length and complexity of EPA and promotion criteria
- Emphasize evidence of next grade level performance
- Streamline review process
- Pursue policy exceptions

evaluate

Phase 2: 1 Aug 2015 – 31 Jul 2016

Focus on ACE

- Emphasize effective performance management behaviors
- Integrate ACE planning & career development
- Limit self-reported ACE inputs to outstanding accomplishments

Pre-Phase 3: 1 Aug 2015 – 31 Oct 2017

Pilot and Prepare

- Conduct research studies to assess current state and inform design
- Pilot elements of long term vision
- Upgrade supporting system technology
- Secure policy exceptions

evaluate

Phase 3(+): 2017 – 2019*

Long Term Vision

- Culture focused on performance & development
- Streamlined processes
  - ✓ Combined ACE/promotion timelines (single form)
  - ✓ Simplified rating procedures
  - ✓ Focused accomplishments

*proposed
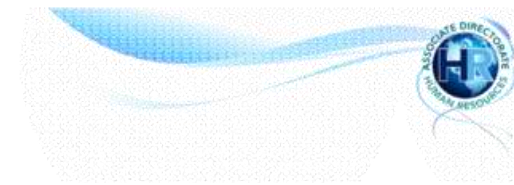*1 Nov 2017 – 31 Dec 2018 (14 mo)*
1 Jan 2019 – 31 Dec 2019 (Cal Yr)

Change Management Goals

- Socialize program vision
- Clarify definitions
- Uncover resistance
- Build workforce buy-in
- Evolve promotion culture

- Reinforce program vision
- Increase attention on meaningful employee development
- Evolve ACE culture
- Strengthen partnerships
- Uncover and address implementation obstacles

- Adopt practices of a strong performance culture
- Evolve awards culture
- Provide transition support

Status

Policy Approvals

USD(I) Pilot Authority

- Prepared 3 volume document for USD(I) and P&R to support policy approvals (business case, design, draft implementation guidance)
- ODNI is coordinating with USD(I) and is also considering a revision of ICD 651

External Coordination

IC and Government-wide

- TEA is serving as a pilot for PM in the IC
- Briefed TEA at newly formed PM community of practice
- Information sharing with CIA, DIA, NGA, USMC, and FBI

Research Studies

Phase 2+ Research Studies

- Completed data collection for decision process study (with Strategic Consultants)
- Collected critical incidents for poor performer study; currently categorizing
- Currently analyzing archival data on awards and recognition; star performer study pending
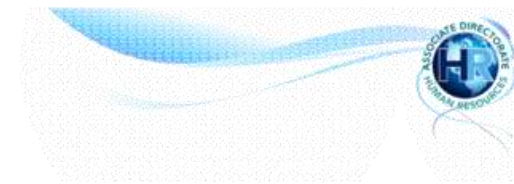
Pilot Studies

Scaled Pilots

- Completed Manager and Employee deep dive sessions
- Deployed first support check-ins (attributable and non-attributable versions)
- Developed and deployed content for Feedback Challenge 1 and Manager Feedback Job Aid
- Facilitated organizational goals / awards criteria work shops

Program Evaluation

Phase 1 Program Evaluation

- Completed preliminary assessment of Phase 1 impacts using climate survey data and results from a TEA-related decision process study
- A formal Phase 1 and 2 evaluation survey will be deployed after the 2016 promotion changes are implemented, which will also include GG15 criteria
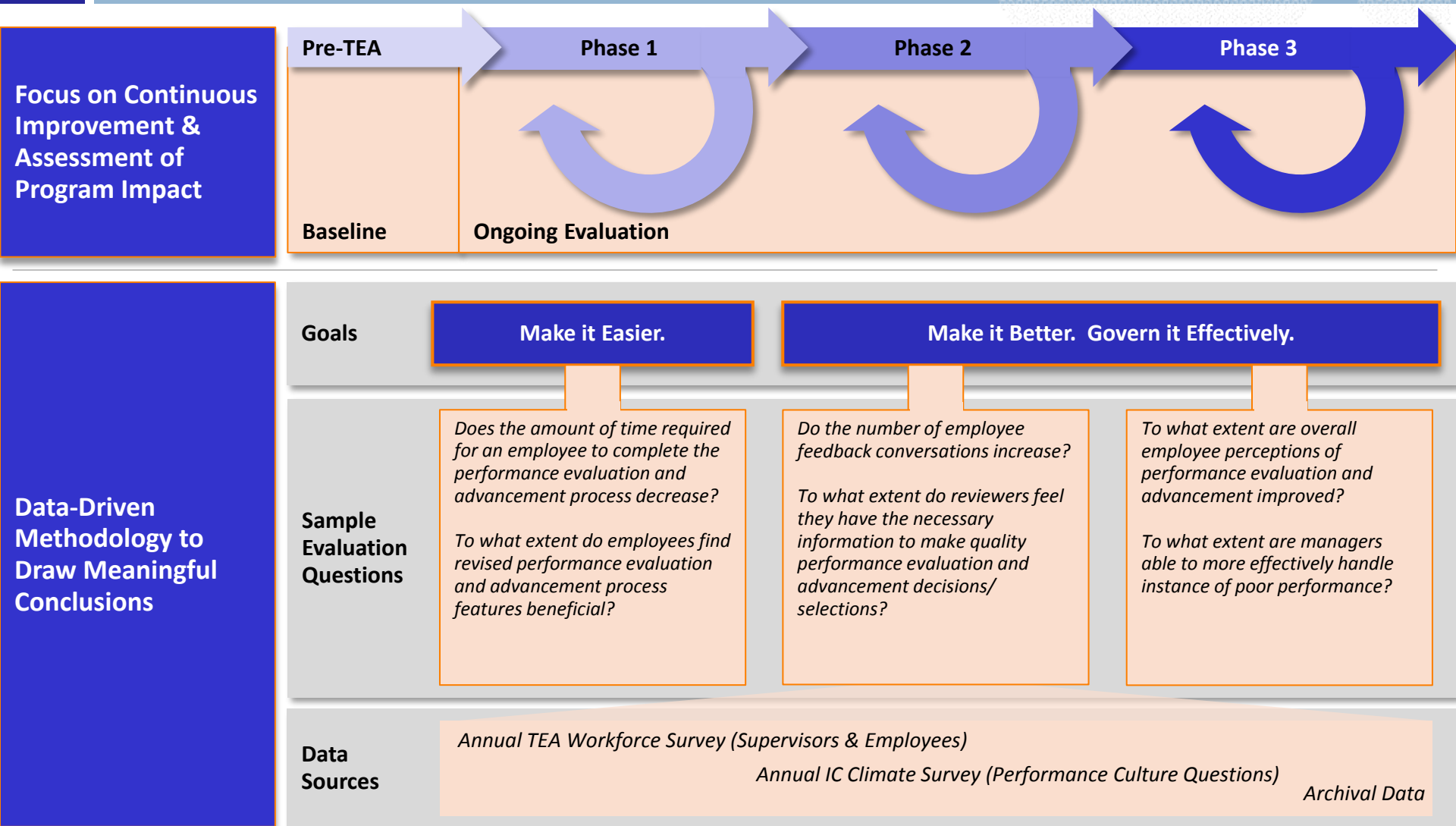
TEA Pilot Overview

What?		*We will be piloting 3 TEA features in preparation for organization-wide implementation. These 3 features focus on strengthening NSA's performance culture.*
	Publication of Achievements	Leaders announce achievements resulting in awards, base pay increases, and promotions to provide greater transparency into decision making and help employees better understand organizational standards
	Employee Support Check-Ins	Employees respond to voluntary, short questionnaires indicating whether they are receiving clear expectations and high quality feedback to be effective in their work; feedback challenges to improve and apply skills between check-ins
	Talent Reviews	Leaders strategically review how the workforce is being (or can be) aligned, developed, and rewarded to best meet business needs
Who?		*We sought to include a small, representative sample of 6 pilot organizations*
When?	October-December 2015	Pilot kickoff meetings and socialization
	January 2016	First employee pulse survey (subsequent surveys around April and August 2016)
	April 2016	First publication of achievements (subsequent publications around August 2016)
	October – November 2016	Talent review

Larger TEA Evaluation Strategy

Focus on Continuous Improvement & Assessment of Program Impact

Pre-TEA	Phase 1	Phase 2	Phase 3

Baseline   **Ongoing Evaluation**

Data-Driven Methodology to Draw Meaningful Conclusions

Goals

Make it Easier.	Make it Better. Govern it Effectively.

Sample Evaluation Questions

Does the amount of time required for an employee to complete the performance evaluation and advancement process decrease?

To what extent do employees find revised performance evaluation and advancement process features beneficial?

Do the number of employee feedback conversations increase?

To what extent do reviewers feel they have the necessary information to make quality performance evaluation and advancement decisions/ selections?

To what extent are overall employee perceptions of performance evaluation and advancement improved?

To what extent are managers able to more effectively handle instance of poor performance?

Data Sources

Annual TEA Workforce Survey (Supervisors & Employees)

Annual IC Climate Survey (Performance Culture Questions)
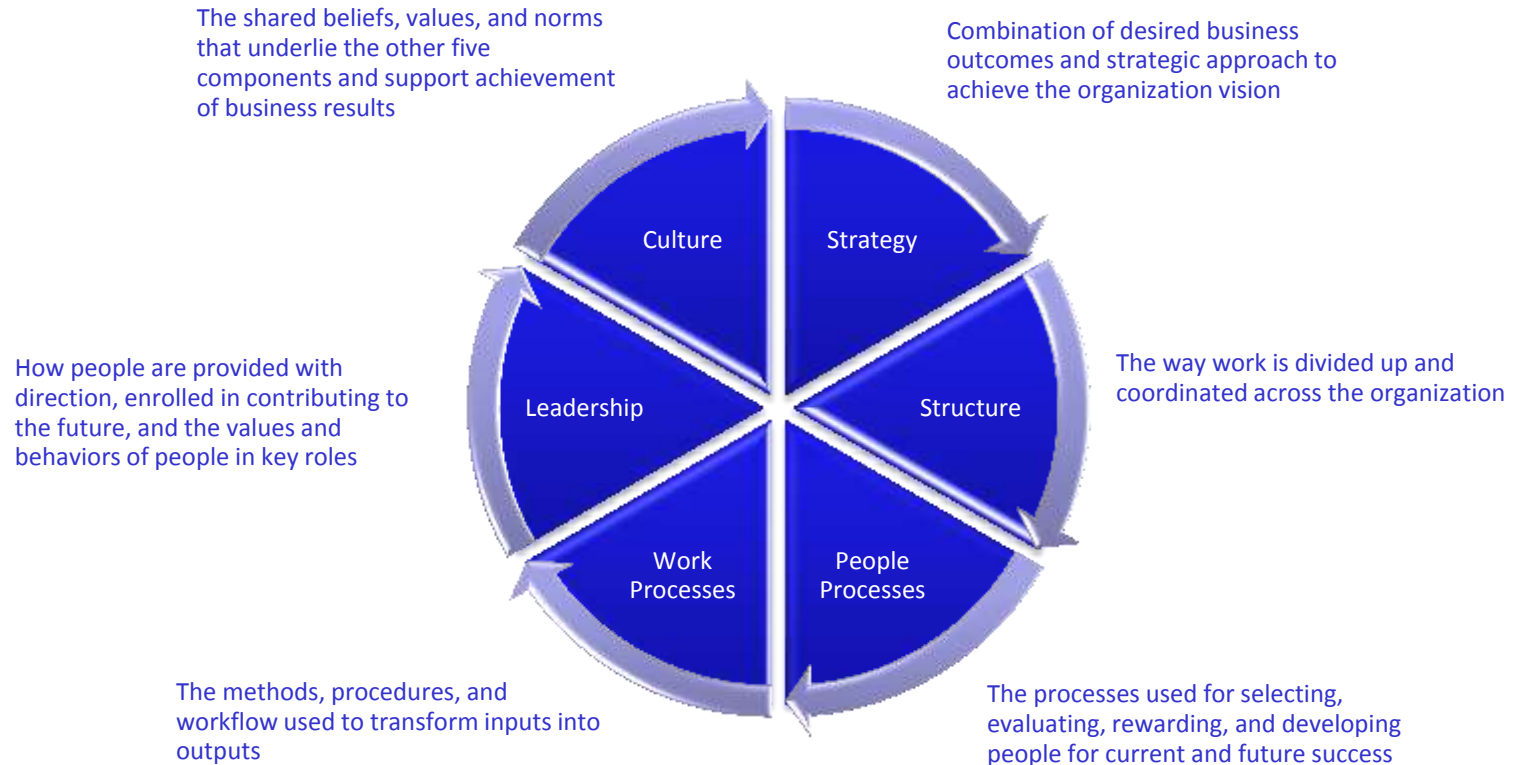
Archival Data

Organizational Effectiveness and Poor Performance

Improve management of problematic employee behavior by…

- Improving managers' ability and willingness to recognize it and engage it;

- Increasing the number of early and less formal interventions;

- Introducing alternative or additional complementary management tools; and

- Improving use of all current management policies and practices.

Creating the desired performance culture, including an effective approach to addressing poor performance, requires a systems approach and a holistic view of organizational effectiveness

The shared beliefs, values, and norms that underlie the other five components and support achievement of business results

Combination of desired business outcomes and strategic approach to achieve the organization vision

How people are provided with direction, enrolled in contributing to the future, and the values and behaviors of people in key roles

The way work is divided up and coordinated across the organization

The methods, procedures, and workflow used to transform inputs into outputs

The processes used for selecting, evaluating, rewarding, and developing people for current and future success

Culture

Strategy

Leadership

Structure

Work Processes

People Processes

Culture Change

Culture change is a long-term process achieved through incremental transition

1 | Adopt a Shared Definition of Feedback

Feedback is…

- **More** than the information you get from your supervisor at the end of ACE and promotion cycles

- **Any information you get about yourself**; it can come from *anyone* at *any time* and takes *many different forms*

- **A shared responsibility**; both leaders and employees play critical roles in creating a culture of feedback

- **A conversation**; the point is not simply to give or receive a message, but rather to have dialogue that results in a clear understanding of how to achieve both individual and organizational success

2 | Develop Key Feedback Skills

Feedback requires…

- **Curiosity**: leaders and employees are both givers and receivers of feedback; both must be curious to understand the others' perspective and to reach agreement regarding the path forward

- **Communication/Interpersonal Skills**: leaders and employees must use skills related to articulation, listening, problem solving, stress management, and emotional intelligence

- **Self Awareness**: leaders and employees need to be aware of their personal style, tendencies, and preferences to determine how to maximize comfort with giving and receiving feedback

3 | Practice Applying Key Feedback Skills

Feedback needs practice…

- Through interactive development opportunities in a **safe, learning space**

- Through **on-the-job experiences**

- Through **mentorship** and guidance

SKILL BUILDING & APPLICATION THROUGH GAMIFICATION

Feedback Gamification Concept

"Bite-sized" asynchronous learning opportunities

Participants might view a 2-3 minute video, take a short quiz, or explore an interactive job aid to learn or review a feedback-related concept. A new concept will be released each month over the course of a year.

MICRO-LEARNING ACTIVITIES

WHY THIS APPROACH?
*Job performance models suggest that performance is a multiplicative function of **declarative knowledge** (which can be enhanced through micro-learning), **procedural knowledge** (which can be enhanced through on-the-job challenges), and **motivation** (which can be enhanced though gamification).*

Campbell, John P., et al. "A theory of performance."
Personnel Selection in Organizations 3570 (1993).

ON-THE-JOB CHALLENGES

+

GAMIFICATION

=

BEHAVIOR CHANGE

Opportunities for practical application

Participants – both leaders and employees – are challenged to complete 3-5 feedback-related tasks associated with each micro-learning activity. Each task takes just a few minutes, and can be completed during the course of regular, ongoing work conversations. Participants are encouraged to journal privately or share their experiences using social media.

Engagement through competition

Completion of on-the-job challenges translates into personal badges and organizational participation points. Comparative participation statistics will incentivize individuals, teams, and organizations to out-perform each other.

Backup Slides
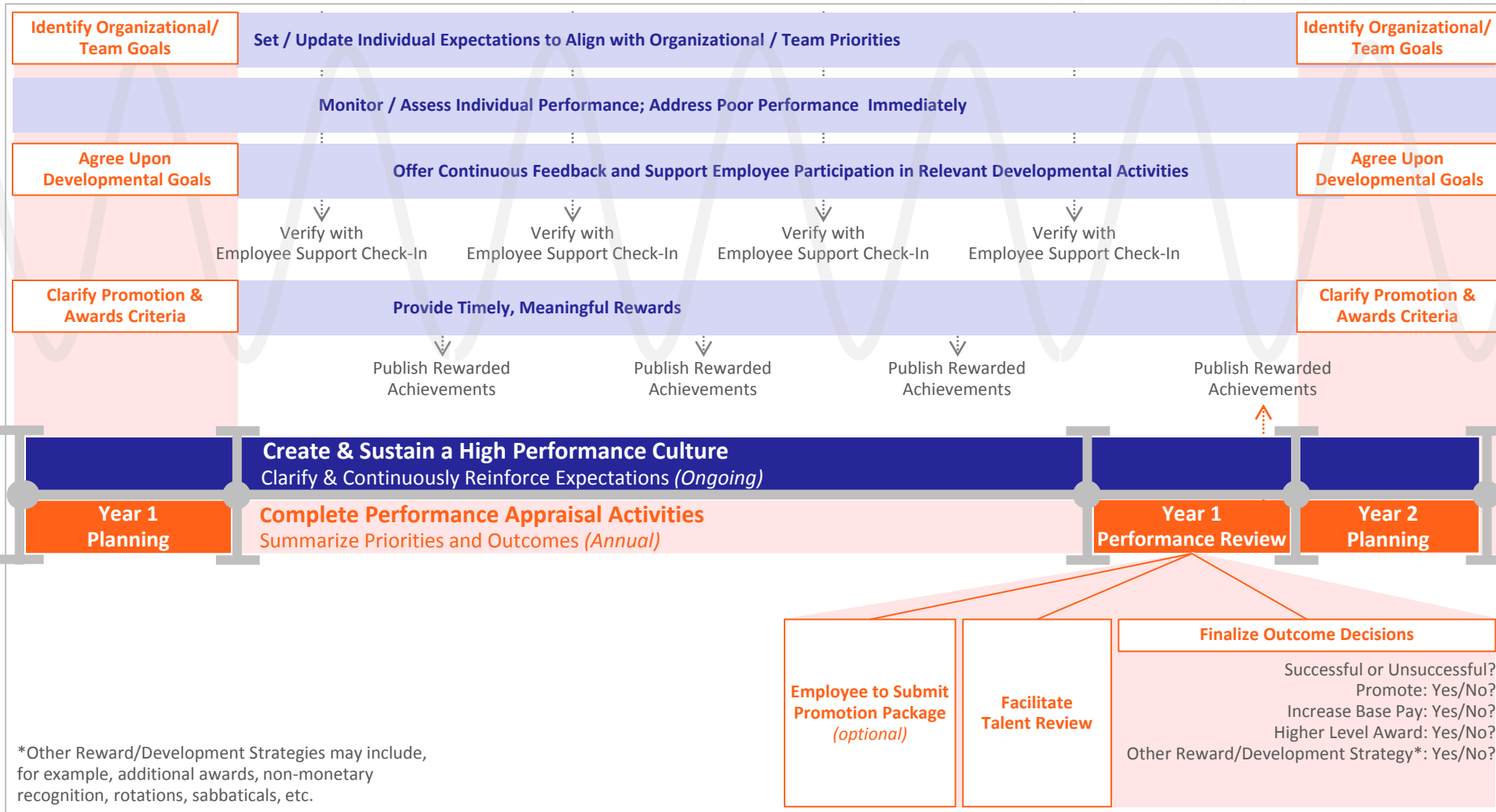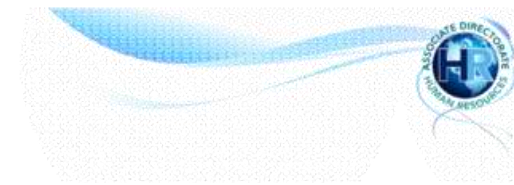
TEA Overview (Comprehensive)

Identify Organizational/ Team Goals	Set / Update Individual Expectations to Align with Organizational / Team Priorities	Identify Organizational/ Team Goals

Monitor / Assess Individual Performance; Address Poor Performance Immediately

Agree Upon Developmental Goals	Offer Continuous Feedback and Support Employee Participation in Relevant Developmental Activities	Agree Upon Developmental Goals

Verify with Employee Support Check-In   Verify with Employee Support Check-In   Verify with Employee Support Check-In   Verify with Employee Support Check-In

Clarify Promotion & Awards Criteria	Provide Timely, Meaningful Rewards	Clarify Promotion & Awards Criteria

Publish Rewarded Achievements   Publish Rewarded Achievements   Publish Rewarded Achievements   Publish Rewarded Achievements

Create & Sustain a High Performance Culture
Clarify & Continuously Reinforce Expectations *(Ongoing)*

Year 1 Planning	Complete Performance Appraisal Activities — Summarize Priorities and Outcomes *(Annual)*	Year 1 Performance Review	Year 2 Planning

Finalize Outcome Decisions

Employee to Submit Promotion Package *(optional)*

Facilitate Talent Review

Successful or Unsuccessful?
Promote: Yes/No?
Increase Base Pay: Yes/No?
Higher Level Award: Yes/No?
Other Reward/Development Strategy*: Yes/No?

*Other Reward/Development Strategies may include, for example, additional awards, non-monetary recognition, rotations, sabbaticals, etc.

Case for Change

Why is NSA moving away from traditional performance management?

Internal NSA Demand

- Duplicative, burdensome, opaque processes around performance appraisal and promotion

- Need for meeting workforce expectations in competitive talent market

DoD and IC workforce metrics

- Effectiveness of demonstration projects and alternative personnel systems

External Research & Practice

- Formal and informal benchmarking suggest a new approach

    - *Microsoft, Corning, FBI, USAID, Dept. of Veterans Affairs, Google, Intel, Johnson & Johnson, Cargill, Eli Lily, Gap, Inc., CFPB, Dept. of State, ODNI, USD(I), NGA, DIA, APL*

- Confirmation of TEA proposals by leading experts in performance management
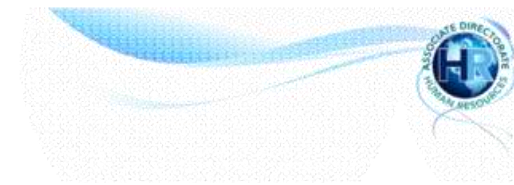
Case for Change

Why is NSA moving away from traditional performance management?

Time Consuming & Expensive

Up to **2 million hours** & **$35 million dollars** annually

Frustrating

Consistently poor IC Climate Survey results

- *Performance Based Awards & Advancement:* **47% positive**

- *Dealing with poor performers:* **32% positive**

Inaccurate

- Only **23%** of HR executives trust ratings accuracy

- Ratings differences driven mostly by rater – not performance – differences

- Steady ratings inflation across NSA and IC – only 1% unsuccessful

- A tenth of a point can be the difference between an annual bonus or not

LITTLE IMPACT ON PERFORMANCE

Performance appraisal systems (ratings, documentation, formal reviews, emphasizing weaknesses, SMART goals) have **little to no impact on organizational performance,** explaining a maximum of 1% of the variance

TEA: *Making it Simpler*

TEA Annual Performance Planning

- **Standardized Organizational/ Team Goals**
- **Integrated Career Planning**

Employee Input

- **Single, Targeted Write-Up for Promotion Only**

TEA End-of-Year Documentation

- **Simplified Successful/Unsuccessful Rating**
- **Yes/No Recognition Decisions** *(Promotion, Base Pay Increase, Higher Level Awards)*

TEA Year End Decision Process

Rater Evaluation **Review/Final Determinations[1]**

Successful?
Contributes to organizational goals in a manner consistent with work role/work level

| Yes | No |

Promote?
Demonstrates next level performance

| Yes | No |

Increase Base Pay?
Demonstrates sustained, outstanding within grade performance; and Equity adjustment required

| Yes | No |

Higher Level Award?
Deserves recognition for an achievement that should be considered at higher levels of the organization

| Yes | No |

Promotion Candidate Ranking

GG2-12	GG13-15
#1, #2, #3…	#1, #2, #3…

Base Pay Candidate Ranking

GG2-12	GG13-15
#1, #2, #3…	#1, #2, #3…

Awards Approval Process

Talent Review Board[2]

Management Chain

[1] The Director retains final authority.

[2] The Talent Review Board will also make additional determinations outside of the End-of-Year documentation process, to include providing high dollar/rare development opportunities for employees of any grade.

Employee Support Check-In Mockup (DRAFT)

	Would like less	About right	Would like more
(U) I have clear work expectations.	○	○	○
(U) I get development coaching and feedback that helps me do my job.	○	○	○
(U) I get feedback on the value of the results I produce to the organization.	○	○	○
(U) I receive support for delivering the results expected of me.	○	○	○

(U) FEEDBACK DETAILS (OPTIONAL)

(U) **Confidentiality:** The open-ended items below are optional. If you choose to provide comments, note that they will be shared verbatim with leadership, though they **will not** be associated with you individually unless you choose to identify yourself in your remarks.

(U) **Portion Marking:** Please DO NOT include classified information in your responses. Please DO portion mark your comments with the correct classification markings (U or U//FOUO).

(U) If desired, use this space to describe how your leaders can provide more meaningful direction/feedback. Consider describing the **types** of direction/feedback that would be most helpful, the **way** you prefer it be delivered (e.g., in person, via email, through direct comments/changes on work products, etc.), the **timing** of delivery, etc.

Employee Support Check-In (Attributable)

(U) Employee Support Check-In Report

(U) Employee Responses

Jan-16

(U) Respondent	(U) Would you like your responses to be shared with someone other than your rater of record?	(U) I have clear work objectives.	(U) I get development coaching and feedback that helps me do my job.	(U) I get feedback on the value of the results I produce to the organization.	(U) I receive support for delivering the results expected of me.	(U) If desired, use this space to describe how your leaders can provide more meaningful direction/feedback.
sdwate2		2	1	3	2	
tlperr2		2	3	3	2	
mdsunda	johndoe	2	2	2	2	(U) Rather than relying only on "track changes," I'd prefer to have a conversation to discuss my work products.
tmzotte		2	1	2	2	
lbgould		3	2	2	3	
wabaugh	johndoe	1	2		2	
kbplunk		3	1			(U) It would be helpful to meet more frequently, maybe through a monthly check-in to discuss my development.
rmperr2		3		3	2	
jbwils8		2		3	1	

(U) Legend
- Would like more
- About right
- Would like less

(U) Employee Support Check-In Report

(U) Summary Results

Jan-16

(U) Results for the Rater of Record

janedoe

(U) Item	Valid N	Would Like More		About Right		Would Like Less	
(U) I have clear work objectives.	7	3	42.9%	4	57.1%	0	0.0%
(U) I get development coaching and feedback that helps me do my job.	6	2	33.3%	1	16.7%	3	50.0%
(U) I get feedback on the value of the results I produce to the organization.	7	4	57.1%	3	42.9%	0	0.0%
(U) I receive support for delivering the results expected of me.	7	1	14.3%	5	71.4%	1	14.3%

(U) How can your leaders provide more meaningful direction/feedback?

(U) It would be helpful to meet more frequently, maybe through a monthly check-in to discuss my development.

Employee Support Check-In (Non-Attributable)

(U) Employee Support Check-In Report

(U) Summary Results

Jan-16

(U) Results for the Rater of Record

janedoe

(U) Item	Valid N	Would Like More		About Right		Would Like Less	
(U) I have clear work objectives.	7	3	42.9%	4	57.1%	0	0.0%
(U) I get development coaching and feedback that helps me do my job.	6	2	33.3%	1	16.7%	3	50.0%
(U) I get feedback on the value of the results I produce to the organization.	7	4	57.1%	3	42.9%	0	0.0%
(U) I receive support for delivering the results expected of me.	7	1	14.3%	5	71.4%	1	14.3%

(U) How can your leaders provide more meaningful direction/feedback?

(U) It would be helpful to meet more frequently, maybe through a monthly check-in to discuss my development.

(U) Results for Other Feedback Providers

johndoe

(U) Item	Valid N	Would Like More		About Right		Would Like Less	
(U) I have clear work objectives.	2	0	0.0%	1	50.0%	1	50.0%
(U) I get development coaching and feedback that helps me do my job.	2	0	0.0%	2	100.0%	0	0.0%
(U) I get feedback on the value of the results I produce to the organization.	2	0	0.0%	2	100.0%	0	0.0%
(U) I receive support for delivering the results expected of me.	2	0	0.0%	2	100.0%	0	0.0%

(U) How can your leaders provide more meaningful direction/feedback?

(U) Rather than relying only on "track changes," I'd prefer to have a conversation to discuss my work products.

SAMPLE

More on Micro-Learning

What is micro-learning?

- Short, bite-sized training units that aim to teach content in the most efficient manner possible. Micro-learning ranges from less than a second up to one hour.

What makes for effective micro-learning?

- Accessible (any time, anywhere)
- Flexible and learner-driven (allows learners to skip ahead and choose relevant information)
- Modular (easier to design, produce, update, and access)
- Holistic (offers varied perspectives on a topic)
- Recursive (repeatable and formulaic)

Why micro-learning?

- Short attention spans combined with mission demands
- Need to produce more with fewer resources
- Rapid changes in content and technology
- Theoretical and empirical support for this as a strategy for behavior change

Sample:
Feedback Challenge #1 – Recognizing Feedback

Participants visit the TEA Pilot Webpage and are presented with the first month's challenges

Purpose: Employees consistently request more feedback. Managers indicate they are constantly providing feedback. Though seemingly intuitive, this disconnect demonstrates the lack of a shared understanding of the concept of "feedback." To get us all on the same page, participate in this month's challenges – all about recognizing the various forms of feedback around you!

1 Click here to take a short quiz to see if you can identify the forms of feedback around you!

2 Review the job aid to learn or refresh your understanding of feedback.

3 Participate in the TEA Pilot Feedback Challenges by completing the following in the course of your day-to-day work:
- Identify at least 4 pieces of verbal feedback you notice this week. Note who provided the feedback.
- Identify at least 4 types of non-verbal feedback you notice this week. Note who provided the feedback.
- Identify at least 2 instances of written feedback you notice this week. Note who provided the feedback.

4 Reflect and respond: What did you notice about the nature of feedback after completing these three challenges?
- Jot down your thoughts privately, and/or
- Share your thoughts with other TEA pilot members on the TEA Pilot SpySpace page!
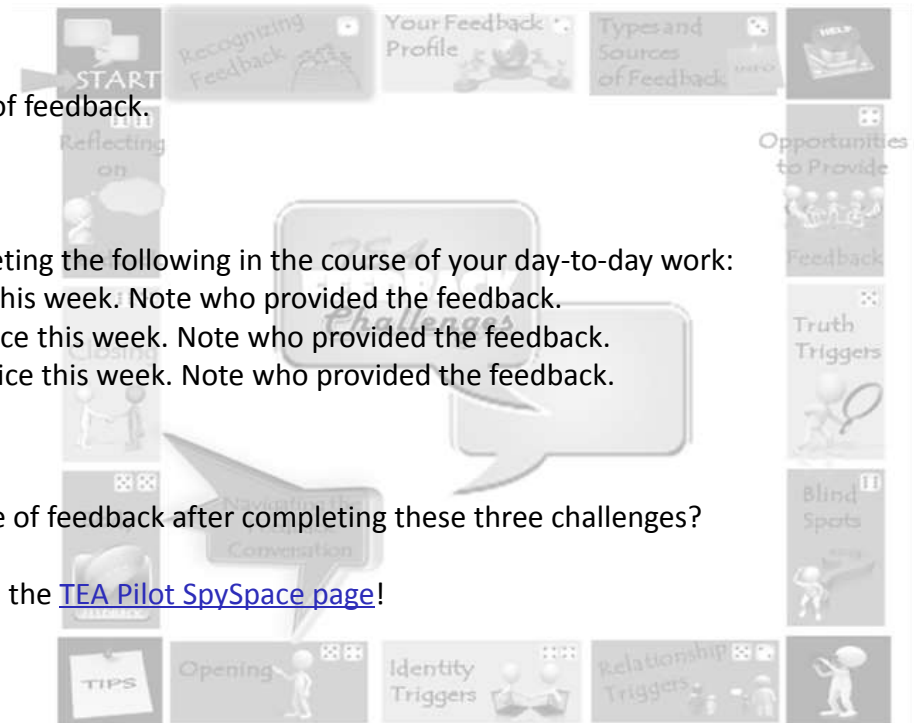
Sample:
Feedback Challenge #1 – Short Quiz

Participants take a short, 8-question quiz

(U) Is this feedback?

Review the statement provided in each item and decide if it represents a form of feedback. Select "yes" if you think it is feedback; "no" if you think it isn't.

(U) Your supervisor comments: "Thanks for filling in last week. You were a real life saver."
(U) Is this feedback?

- ○ Yes
- ○ No

(U) You receive an email from your Team Lead stating: "I agree with your approach. We may also want to involve our counterparts in the rest of the IC on this one."
(U) Is this feedback?

- ○ Yes
- ○ No

(U) Your mentor comments: "I'd like to see you play more of a leadership role on the next project you take on."
(U) Is this feedback?

- ○ Yes
- ○ No

(U) Your team applauds after you receive an award for your work related to a high profile target.
(U) Is this feedback?

- ○ Yes
- ○ No

(U) Your colleague rolls his eyes as you defend your point of view again.
(U) Is this feedback?

- ○ Yes
- ○ No

(U) In response to a W
comment using track
guidance."
(U) Is this feedback?

- ○ Yes
- ○ No

Participants also receive real-time feedback:

*Actually, this **is** a form of feedback. Even though your colleague is not delivering his message in the most effective or professional way, this does represent a form of **non-verbal** feedback for you to be aware of. Your colleague is **assessing** your choice to continue to defend your point of view.*

The point here is not to encourage you to adopt this method of delivering feedback; eye rolling is certainly not appropriate. Rather, we mention it to help us be more cognizant of all types of feedback around us, well-delivered or not.

(U) Your teammate comments: "I can't believe you were able to troubleshoot that issue! Thanks for staying late to get to the bottom of things even though I had to leave."
(U) Is this feedback?

- ○ Yes
- ○ No

(U) You receive a briefing from a representative in Human Resources: "Climate survey results suggest that senior leaders may want to communicate more frequently."
(U) Is this feedback?

- ○ Yes
- ○ No

Sample:
Feedback Challenge #1 – Job Aid

Participants review a job aid, helping them to recognize the many forms and purposes of feedback
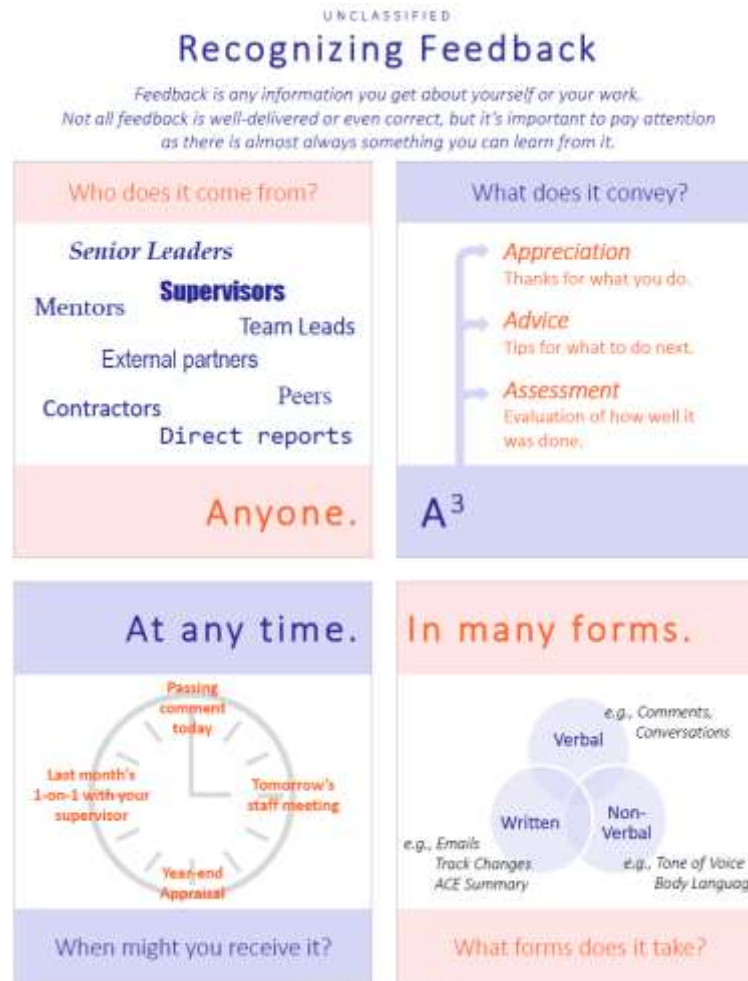
Sample:
Feedback Challenge #1 – Challenges

Participants complete and discuss reactions to feedback challenges for the month on social media

SpySpace 👤 ▂▂▂▂▂   ✔ Tools   ⚙ Settings   ❓ Help   🌐 Search   **Go**

(U)
Talent Evaluation and Advancement (TEA) Phase 2 Pilot

(U) TEA Phase 2 Pilot

🚩 Report this
🔖 Bookmark this

Edit group
Edit group image
Manage join requests
Invite colleagues
Leave group
Outstanding invitations
Group moderators
Archive Group

Event Details

UNCLASSIFIED//FOUO

(U) TEA Pilot: February Feedback Challenge!
📅 Mon 02/01/2016 until Mon 02/29/2016
Category: Training
🏷 feedback, 🏷 gamification, 🏷 challenge, 🏷 TEA, 🏷 pilot

1 other users like this.

(U) Share your experiences now that you've completed the February Feedback Challenges! Leave your comments below.

- (U) What was it like participating in this month's TEA Pilot Feedback Challenges?
- (U) What did you notice about the nature of feedback?
- (U) Has your perspective on feedback changed at all after stepping back and observing all the forms of feedback around you?

(U) Be sure to "Like" this event if you completed this month's challenges!

Classification: -Select a Classification- ▼

Comment ✔

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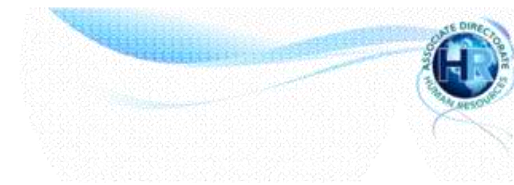
Publication of Achievements

(U) Add a brief introduction with statistics regarding both monetary and non-monetary awards given in the previous 6 months. Include the number of award recipients, the number of awards of each type granted and the average value/amount of each award type.

Template for Achievements Meriting an Award in <Insert Organization>

Grade	Sample Achievements Meriting Awards (Use modified statements that were pulled from the award justification statements within the organization)	Why were these achievements deserving of an award?	
		Value, Goal and/or Standard Demonstrated	Directorate/Organizational/Team Goal Supported
GG__			
GG__			
GG__			
GG__			
GG__			
GG__			
GG__			
GG__			

To be populated by leaders, using HRMS data
(e.g., awards justification statements and statistics)

Future Initiatives
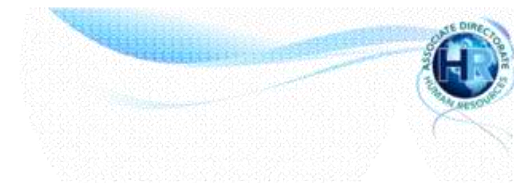
Continue efforts to modernize performance management

- Increase non-monetary incentive program options

- Incorporate employee preference

- Expand base pay increases

- Recognize organizational and team performance

- Improved technology for total compensation view

- Establish Star Performer program

Legal Defensibility of Selection Systems

Why do we need a legally defensible model?

To ensure that our selection system achieves the goal of equal opportunity without discrimination based on:

Equal Employment Opportunity Laws:
Title VII: race, color, religion, sex national origin
ADA: Disability or genetic information
ADEA: Age

How is defensibility achieved?

Content Validity	*What performance behaviors are examined?*
Job Relatedness	*Does their Performance tie back to the job?*
Standardized Procedures	*Is everybody judged in the same manner?*
Transparency	*Does your manager let you know what these performance behaviors are?*

PROVE IT!

Uniform Guidelines and Legal Precedent

	Uniform Guidelines of Employee Selection Procedures (1978)	Legal Precedent
Content Validity	• Content validity evidence is based on a linkage between objective work behaviors and the job domain. • Job analysis are typically used to identify the essential work behaviors and associated tasks of a job or position.	• Need for job relatedness was established by the Supreme Court case Griggs v. Duke Power Co. (1971) and reaffirmed in Albemarle v. Moody (1975), Watson v. Fort Worth Bank & Trust (1988), Bryant v. City of Chicago (2000). Content validity was noted as an appropriate method for determining job relatedness.
Job Relatedness	• The content validity of a selection or appraisal procedure of interest is then shown to be a representative sample of the job. • Objective behaviors that are closely approximated to those found on the job should be emphasized.	• Along with the aforementioned Supreme Court cases, litigation addressing the need for job-relatedness in performance appraisals are found in cases such as Eldred v. Consolidated Freightways, 71 FEP Cases 33 (D. Mass 1995), City of Indian Harbor Beach, 103 LA 634, 637 (Arb. 1994).
Standardized Procedures	• Selection and appraisal procedures should be administered and scored under standardized conditions.	• Standardization and uniformity of selection/appraisal systems for all employees within a job group are established as procedural safeguards in cases such as Fisher v. Vassar College, 70 FEP Cases at 1165, and Kelly v. Drexel University, 5 AD Cases 1101 (E.D. Pa. 1995).
Transparency	• While the Uniform Guidelines do not specifically address the issue of transparency, litigation concerning the procedural justice of performance appraisal systems is implicit in many judicial opinions.	• Significant relationships are found between procedural fairness and federal appellate cases decided for the employer (Werner & Bolino, 1997; Watson v. Fort Worth Bank & Trust, 1988). Procedural justice, such as transparency, is likely to decrease the likelihood of discrimination litigation (Landy & Conte, 2005)

Uniform Guidelines and Legal Precedent

How does the NSA ensure that their selection and promotion system is defensible?

Content Validity
- Team and organizational performance behaviors: *Defining team and organizational goals is critical to ensuring employees are contributing to the mission and captures the job specific tendencies for individuals to migrate from one cross-functional team to another.*

Job Relatedness
- Performance behaviors are based on work level descriptors and applied to the Annual Contribution Evaluation (ACE), the Employee Promotion Assessments (EPA), and Employee Promotion Profile (EPP): *This aligns directly with recommendations from the Uniform Guidelines in that work level descriptors will represent the job(s) of interest.*

Standardized Procedures
- Formalized ACE Process: *The ACE process will be streamlined and applied as a standard format, differing only by the job in question.*
- Dichotomous Outcome-Based Ratings: *Built to help managers differentiate at the necessary level to achieve business objectives. Relative judgments are proved to be more reliable than perceived estimates.*

Transparency
- Incorporation of career planning: *Supervisor/employee align performance behaviors to organizational goals together and identify development activities*
- Publish accomplishments that justify promotion: *Allows for the employees to understand the standards and expectations within the organization.*

Use of Ratings for Adjustment in Force (AIF)

> ➤ DoDI 1400.25 V2014, Adjustment in Force (AIF) (GG employees)
>   Enclosure 3, paragraph 3. RETENTION
> ➤ Under 5 CFR Part 351, Reduction in Force (RIF) (wage employees)
>   351.504, Credit for Performance

- Current policies use the employee's three most recent overall performance scores or ratings as a factor to rank employees in descending order within a retention list by tenure group and veteran's preference

- Ratings distributions do not support use in AIF decisions due to a lack of meaningful differentiation
    - Less than 1 percent receive ratings of unsuccessful
    - As an example, cash bonus outcomes may differ based on a tenth of a point (e.g., 3.8 vs. 3.7), which may not reflect a qualitative performance difference
    - Idiosyncratic ratings and no known solution to ratings inflation

- Use of performance scores in force reduction can result in a higher proportion of minority group members being released

- Increased legal activity associated with layoffs as a result of performance appraisal

A new approach is needed to incorporate performance in Force Reduction programs